

REMARKS

Claims 8-13 are pending and under consideration in the above-identified application, and Claims 1-7 stand withdrawn from consideration.

In the Office Action, Claims 8 - 13 were rejected. This rejection is traversed.

Claims 8-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chapman in view of Furukawa et al. ("Furukawa") (U.S. Publication No. 2005/024378). Applicant respectfully traverses this rejection.

Applicant submits that the present application was filed on March 23, 2004 and claims the benefit of priority to a Japanese Patent Application JP2003-084478 filed on March 26, 2003. However, the Furukawa reference was filed on July 6, 2005 as a Divisional patent application of Patent Application No.: 10/703,355, which was filed on November 7, 2003.

Applicants submits herewith a certified English language translation of Japan Patent Application JP2003-084478 in order to perfect priority

Since the earliest effective filing date of Furukawa of November 7, 2003 does not predate the filing date of March 26, 2003 of the Japanese patent application JP2003-084478, Chapman and Furukawa may not properly be combined to reject independent Claim 8 and dependent Claims 9 – 13.

Accordingly, Applicant respectfully request that these claim rejections under 35 U.S.C. § 103 (a) be withdrawn.

Conclusion

In view of the above remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: Oct 4, 2006

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